

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT

for the

District of

Division

Case No.

(to be filled in by the Clerk's Office)

Eddie Marlow

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

See Attached

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

United States District Court
Southern District of Texas

FILED

DEC 10 2018

David J. Bradley, Clerk of Court

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Edore Marlow
 All other names by which
 you have been known: _____
 ID Number 01226099
 Current Institution 1200 Baker 5F1
 Address _____

Hou Tx 77002
 City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name District Atty Office
 Job or Title (*if known*) Prosecution
 Shield Number _____
 Employer Harris County Tx
 Address _____

Hou Tx 77002
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name Jan Krockner
 Job or Title (*if known*) 184 District Court Judge
 Shield Number _____
 Employer Harris Texas
 Address _____

Hou Tx 77002
 City State Zip Code
☒ Individual capacity ☒ Official capacity

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Defendant No. 3

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City

State

Zip Code

☐ Individual capacity☐ Official capacity

Defendant No. 4

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City

State

Zip Code

☐ Individual capacity☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Prejudice and lack of care for what was the truth

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose ^{inside} ~~outside~~ an institution, describe where and when they arose.
 when I was arrested for a misdemeanor assault that was a lie the misdemeanor was enhanced and bond raised so my chances of freedom would never happen. My indictment was bogus and rewritten "The paragraphs to" enhance called me 2nd offender
 If the events giving rise to your claim arose in an institution, describe where and when they arose.
 I have been convicted of family violence once but the paragraph that I was arrested for on 9-21-18 was re-written twice but where inaccurate with the police statements of the defendant Plaintiff Shirley McCann

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C. What date and approximate time did the events giving rise to your claim(s) occur?

9-22-2018 Probable cause court

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I was on the court docket for a felony that was a misdemeanor that was enhanced using paragraphs that wasn't accurate with the actual police report. I was shown prejudice because of my priors, my enhancements over a lie my court appt. Atty claimed he watched the video and it clears me of any assault there for false imprisonment applies

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Pain & Suffering

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Since each ^{paragraph} ~~bar~~ that was written that didn't match with the official police report 500,000 X 2 Prejudice in calling me a second offender when I was only an offender 1 time and pre trial detainee 500,000, prejudice when enhancing a lie that was officially a misdemeanor to a felony 500,000 prejudice on bond issues that established over a lie 500,000

2,500,000^{est}

two. five million dollars

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Harris County 1200 Baker

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

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- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

NA

2. What did you claim in your grievance?

NA

3. What was the result, if any?

NA

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

NA

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

I knew it would get anywhere!

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

NA

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

NA

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

NA

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- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes

☐ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Eddie

Defendant(s) Baliff and HCSO

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4:18-cv-04500 - unknown

4. Name of Judge assigned to your case

Can't remember

5. Approximate date of filing lawsuit

November 26 2018

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Not Yet

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

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Houston Division

ADDRESS, HOURS, SECURITY and ELECTRONIC DEVICE POLICY

Location:

United States Courthouse
515 Rusk Avenue
Houston, TX 77002

Correspondence:

David J. Bradley
Clerk of Court
P. O. Box 61010
Houston, TX 77208

DEC 10 2018

Dear Reader

David J. Bradley, Clerk of Court

9-21-18

I was arrested for allegedly assaulting Shirley McCann that was a misdemeanor that was and eventually proven to be a lie but the misdemeanor was enhanced to a felony. My indictment was re-written two times but was the same crime and used as a means of enhancements. I went to court 10-3-18 and my 1st assault became 2 earlier in the week a warrant went into effect and that charge was enhanced as a felony. I was arrested for what was a lie and although I had a witness my claims of innocence was dismissed. The night I was arrested I was made to abandon my dog as video will show my dog was already there and he was left behind. I have owned my dog Bondreaux Wilson for almost two years. He is pit mix and if picked up as an abandoned dog he will be put down. I lost my earthly possessions. There was an issue going through booking, my t-shoes were taken from me and I was placed in a room that smelled of urine and was wet with piss. I fell asleep from fatigue

and, I had medical needs^{to} have ankle support. These high top t-shoes were a gift when they were finally replaced they were not mine. I had let the judge know about my constant refusals I let her know in my correspondence that the police didn't enforce housing therefore I was forced to sleep on a 2nd floor upon housing which the stairs were painful and I was made to use them many times throughout the day for around 2 months. I was forced to walk long periods to court up the stairs there and back. I was living in my cell and it was crawling with ants as many others were too I had cuts on me as I slept and when I said something was singled out and forced to live out in the day room while forced to use the shitters that wasn't sanitary. I was never given the cleaning supplies while I was locked out. Sargent Kravin was the one I wrote up about my shoes had the glory of singling me out and making an example. I was out in the day room 11 hours then able to reenter to sleep.

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The next morning I was forced to move. I have accurate times recorded so one could look at video here and truly understand me being singled out substantiating my claim.

① I was telling the police what my story and he was pointing his tazer at my dog that was no where near to be aggressive or in a threatening manner. The snapping of electricity was not making my dog act aggressive but the action wasn't called for. I wish to be valuated for my claims

I have mailed David J. Bradley my complaints and as also written the judge in my court. I will rewrite her as I feel and can prove by in house video witnesses and statements. I am on the floor at 11:17^{PM} I extended my arm out the bars while on my mattress located on the floor in a cell. Video will prove all that I claim. I have times of said

claims. I am only guilty of being with vindictive woman that believes is she can't have me no one can.

I was told that I need to write the State Barr, I disagree. As long as I am in here for the lie that keeps me in here I am going to demonstrate my right to fight for equal rights and my priviledges. I was exercising one write the night I was arrested and that write was given as a great rule the Bible states though shalt not lie thy shalt not bare false witness of thy neighbor. My priors gave merit to the DA to find me guilt before I was even housed because a bold face lie "showed" Prejudice in my favor to critique me as a repeat offender. I truly can't be accused of being a second offender for family violence when only once I was convicted and the others is an un-proven accusation.

she told my lawyer to put in a motion to get my shoes but as I already told her my shoes weren't in my property, I was forced to hobble in pain. Much later on there was a pair of Jordan V shoes that was brought to me that was similar but not the size I wore to jail. I told the officer repeatedly that the recent delivered shoes weren't mine. He said they are now and walked off.

- ① I went months in pain and still enduring
- ② I had to go up and down stairs and walk around with no ankle support.
- ③ The shoes were a gift that I sat and cried repeatedly because they were a gift and I truly thought of hurting HCSO to equal my loss.
- ④ The estimated family value price less
- ⑤ The true retail value 18000
- ⑥ The neglect for ones personal welfare and medical needs.

[illegible]

1. The first part of the document is a header section containing the following information:

197

1946-1947

1. I had a very good night's sleep.

[illegible]

2
As any one can tell that everyone but me jumped the gun trying to call me on a crime that I would have had no choice but to stay here for months to years to have reduced because I by then will have been threatened to take this time or this time because if I go to trial I will get more than what they gave gracefully or what I should have expected on a decent plea deal.

I am in no hurry to get free because to many people are aware of my situation and I know I was wrongfully arrested and in my indictment falsely accused. I again request enough pity to ^{be} evaluated for my claims then also you can contact my judge because she is aware of what is going on and she seems to care little about. The excuse of me being released with out properly medicated is what the excuse is being applied. I am surely not that psychotic.

Attention: My arrest, was on 9-21-18 where my ex girlfriend told HCSO deputy that she went to shell to drop of my dog and I assaulted her by the hair knocking her down causing injuries and pain. There are videos of me being at other places with my dog and my current girl freind that was a witness at the shell station that was immediately excused. I feel my rights were violated while being arrested and while still being held against my will. I have actually claims that have happened to me while in HCSO custody that are true claims. A lie was told and I am being violated every day I am in here over a lie. I request you please look into my case and any information you need from my lawyer you can get at any time. There is no confidentiality if him and the D.A. are both fucking me over.

REENTRY SERVICES

Dear David

I come to you and plea because the issue with the original Sargent that Signed of on my medical needs pass singled me out locking me out of my cell and 'off me out for hours. I feel retaliated against because sargent Ervin wrote me a case that I wasn't aware of and come to find out 1/2 hour earlier after a member of the Grievance board came by to try to solve my problems about my mis placed shoes I was called down to disciplinary for a case and the same grievance officer was in control of disciplinary and read out the Case I was given under Sargent Ervins instruction. I wasn't afforded to make a statement and called to disciplinary. Conflict of interest because Sargent Ervin and the Grievance board have been hearing alot from me from each other. I was given a case for safety and unsanitary condition but I was the only one who in the whole day and longer given such a case. I have a minor infraction and was give 5 days loss of privileges. I am not a worker and am not given the proper cleaning supplies to clean as needed. It is not

REENTRY SERVICES

my responsibility because I am not authorized to possess proper cleaning supplies. Hey when I was lock out of my cell for the day I wasn't given an infraction when I had to use the stool in the day room. Retailiation isn't justified by the actions that are presented blindly, I am living in a Dorm B5F1 on the floor. I have a special needs pass because medical I humbly request you look in to this also.

Housing is not enforced so I would have to fight some one to get a bottom bunk and then I would get clicked on because I am the outsider. I would asked to get moved back into a single man cell due to my factual complaints. I am in fear for my safety because of my claims involve HCSO staff, officer, Judgeer and DA of 184th District court. Please have me housed in a single man cell because I fear retaliation is brewing. I was put in jail for a fee.

Eddie Marlow

REENTRY SERVICES

Dear Reader or David, J Bradley

I file these suits because my rights have been violated on 9-21-18 I was arrested for a lie when I was going through probable cause court the magistrate proclaimed it was a misdemeanor but the DA brought up my priors and I was set 184th District Court. On 10-3-18 I went before the judge requesting a bond reduction 50⁰⁰⁰⁰⁰ was too high for me but another assault charge that was not effective until after my arrest pop up. I was awarded 25000⁰⁰ a piece now which still adds to 50⁰⁰⁰⁰⁰ I lost everything over a lie, my indictment paragraphs were rewritten two times just worded differently and didn't match the original police arrest statement. The two falsely constructed paragraphs showed prejudice because of alleged crime and my full prior history. I feel prejudice was used in the indictment because both paragraphs related to the accused lie against me about 9-21-18. I was seen by an investigator and he got my information and left he visited on 10-22-18. On 11-14-18 I noticed a small cardboard envelope in the lawyer that was appointed on my case I asked him if that was the video he said he had watched it, He clearly said he only saw me on the video that was gotten from the Shell station is when I was getting arrested. My girlfriend told arresting police that she "went" to Shell station to drop off my dog and I assaulted her grabbing her hair knocking her down causing injury and pain. She did not tell the policeman the

REENTRY SERVICES

said crime took place any other location or area. Shirley McCann stated "to officer" she WENT to shell but Gilbert Rodriguez told me the video surveillance cameras fail to show any assault and any contact of me and Shirley McCann physical and verbal. You will also notice on the video that my dog was with me when entering the shell lot and the witness that was with me on the bike my new girl friends state ment was dismissed immediately and since my priors are lengthy the officer found blind merit to assume in Shirley McCanns accusation of her assault. As you will notice in the video my dog that was non aggressive towards anything the arresting officer pulled his pistol tazer and pulled the trigger to antagonize my dog so shooting him would be justified. The video will show accuracy in all my claims. Please acknowledge that I am in on a crime that is false, so I am bringing it back. I am retaliation because enough is enough please let these for me and respectfully see that I can get a council visit. I humbly thank you!

My bonds were raised to 50 000 and then another warrant went into effect long after my initial arrest then she split two lies 25000⁰⁰ Respectfully
 a piece so my plea for bond reduction Edo Marlow was dismissed and treated as I 0126099 5F1
 am not aware of the bonds not being reduced.

Eddie Marlow 184TH
012260995FF1200 Baker Str
HouTx

Dear Reader

I am writing to complain about the lawyer Gilbert Rodriguez. I am finding him to be ineffective because I was assigned his services and even before my first court date wrote me a brief letter telling me that he is appointed to my case. Well, the letter first started - Dear Mr. Hardy. During my first court appearance the judge told him file a motion for an investigator and it was almost a complete 3 weeks before I was seen from by the investigator. He said he was in Colorado, and I started to think is the only investigator who works the Houston, Harris County areas. I spoke with him and told him the whole truth. I was arrested at a shell gas station and the crime I allegedly committed there at shell was assault on a family member. My ex-girl friend call 911 I guess one night while I was with my new girl friend and

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claimed that She went to Shell gas station to drop off my dog and I assaulted her by grabbing her knocking her down causing pain and injury. I was arrested 9-21-18 for a misdemeanor assault that was a lie. The misdemeanor was enhanced to a felony and my bond raised so high I had no choice but to stay in jail. While I was being arrested my dog Boudreaux that was with me was forced to be left alone.

He was a gentel Pit lab mix that if was considered abandoned wouldn't get a second chance hence his breeding features. On November 14-2018 I went to court and I noticed a small envelope made of card board that he possessed then I said that's the video and he said he watched it because I saw the strip tore. I asked him if he watched it he said yes and he said clearly that the only time he saw me is when I was being arrested.

Gilbert Rodriguez - Unknown

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Right then and there I knew I was going home. I was reset while he had the evidence in his hand. I told him to go show the judge so I can go home. I have a civil suit that I am filing because of wrongful arrest and so far I have 14 claims even though some are petty it is just because they are factual and I shouldn't have even been arrested. I go to court 12-14-18 and hope to get dismissed but my lawyer has not given me a reset for receipt for the last few court dates. I don't have his information to even write or call. As you can see the police exclaimed that my ex-girl friend that I once had a dating relationship with "Went" to Shell to drop off my dog means that she was clearly no place else, dropping of my dog when I assaulted her but my lawyer Gilbert Rodriguez watched the shell video and "Clearly" said the only time he saw me on that video is when I was getting arrested.

- ① He never came and kept tabs on my case as instructed by the Judge Jan Krodter 184th.
- ② He put an investigator that took 3 weeks to visit me.
- ③ He never gave me a reset paper or any reset receipt since.
- ④ He has knowledge of the video that proves my innocence doesn't bring forth to DA or Judge.
- ⑤ He have the video from Shell parking lot and claimed he watched it.
- ⑥ He have been ineffective for my case just to reach money for every appearance until he has no choice but to expose the video clearing me of this crime. I received a disciplinary case 3 days ago that I was unaware of until today. I shouldn't even be in jail to get any cases. I have 14 claims that are factual and building more as they come. I am guilty by all parties until proven innocent. Lawyers foul.

Respectfully
Eddie Marlow